

902 KAR 10:010. Public restrooms.

RELATES TO: KRS 211.180

STATUTORY AUTHORITY: KRS 194.050, 211.090, 211.990

NECESSITY, FUNCTION, AND CONFORMITY: KRS 211.180 authorizes the Cabinet for Human Resources to regulate the sanitation of public restrooms. This administrative regulation provides standards for public restrooms in order to protect the health of the public.

Section 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this administrative regulation:

(1) "Cabinet" means the Cabinet for Human Resources and the local health department having jurisdiction and their duly designated representatives.

(2) "Public rest room" means a facility that provides toilet and hand-washing facilities for the general public.

(3) "Septic tank" means a watertight receptacle which receives the discharge of a building sanitary drainage system (or part thereof) and is designed and constructed so as to digest organic matter through a period of detention that allows the liquids to discharge into the soil outside the tank through a system of open joints or perforated piping, or a seepage pit.

Section 2. Water Flushed Toilet Facilities. If water flushed toilet facilities are provided for the accommodation of the public or patrons at public places:

(1) The floors shall be of smooth construction and relatively impervious to water.

(2) The walls and ceilings shall have a smooth washable surface and shall be painted or finished in light color and shall be maintained in good condition.

(3) All openings shall be effectively screened against flies and other insects.

(4) All doors shall be self-closing.

(5) The plumbing installations shall comply with the state plumbing code.

(6) All wastes resulting from flush toilets, lavatories or other fixtures shall be disposed of in a public sewer or, in the absence of a public sewer, by a method approved by the Natural Resources and Environmental Protection Cabinet.

(7) An adequate supply of toilet tissue shall be provided at each toilet facility at all times.

(8) The rooms shall be adequately lighted and ventilated.

(9) If drinking water is provided, it shall be from a source approved by the Natural Resources and Environmental Protection Cabinet.

(10) If drinking fountains are provided, they shall be installed in accordance to the state plumbing code and shall be maintained in a sanitary manner.

(11) The use of the common drinking cup is prohibited.

(12) Hand-washing facilities, including running water, soap and individual cloth or paper towels, or other method for drying hands approved by the cabinet, shall be provided.

(13) The use of the common towel is prohibited.

(14) All trash or refuse shall be kept in nonabsorbent containers and removed from the premises as frequently as necessary to prevent an unsanitary condition from developing. A covered waste container shall be provided in each women's toilet facility.

(15) The rooms, including all fixtures therein, shall be kept clean, in good repair and free from dust, dirt, insects and other contaminating material.

Section 3. Earth Pit Privies. Outdoor toilets (earth pit privies) not connected to a public sewerage system or septic tank shall be prohibited within the boundaries of cities of the first or second class as provided by KRS 381.780. In other areas, if water under pressure is not available, earth pit privies

may be used for the accommodation of the public or patrons at public place provided they comply with the following requirements:

(1) Construction of pit privies.

(a) The pit shall not be located within 100 feet of any source of water supply and shall have a capacity of not less than fifty (50) cubic feet and shall be not less than four and one-half (1/2) feet or more than six (6) feet deep, measured from the original ground surface.

(b) The pit shall be lined with curbing of sound lumber, concrete, or other material approved by the cabinet and extend to the full depth of the pit.

(c) The floor and seat riser shall be constructed of impervious material or tongue and groove lumber, and in a manner to exclude insects and rodents. The seat riser shall be so constructed and bonded with the floor as to prevent seepage through the riser onto the floor and the seat opening shall be elevated at least twenty (20) inches above floor level.

(d) The superstructure of the privy shall be constructed of substantial material fastened solidly to the floor.

(2) Maintenance of pit privies.

(a) The floor, seat and other fixtures shall be kept in good repair and clean at all times.

(b) An adequate supply of toilet tissue shall be provided.

(c) If the pit is filled to within eighteen (18) inches of the floor, the pit shall be cleaned or a new pit shall be constructed. Old pits shall be filled and mounded with earth.

(d) The privy shall be adequately ventilated. (San-2; 1 Ky.R. 369; eff. 2-5-1975; 18 Ky.R. 1431; 2264; eff. 1-10-1992; Crt eff. 11-18-2019.)